

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, November 13, 2018**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, November 13, 2018, at 6 P.M. in the Men's Lounge of Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 5:59 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Scott Buckley

Councilmember Bill Regner
Councilmember Debbie Hunseder

Town Staff:

Town Manager Gayle Mabery
Administrative Services Director Kathy Bainbridge
Economic/Community Development Director Jodie Filardo
Police Chief Randy Taylor
Utilities/Public Works Director Maher Hazine
Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor's Report –

- 10/10/18 – Met with Yavapai-Apache Nation settlement representatives
- 10/15/18 – Moderated legislative panel
- 10/31/18 – Met with Councilmember Hunseder
- 11/02/18 – Attended Arizona League Executive Committee (voting not to pay League dues);
 - Met with Armando Aparicio Jr. at ADEQ building for interview by Cronkite news
- 11/13/18 – Attended Verde Front Leadership Council fall meeting;

- Attended Verde Watershed Report Card workshop

Vice-Mayor's Report –

- 10/11/18 – Attended Proposition 445 Open House at Spirit of Joy Lutheran Church
- 10/19/18 – Had lunch with Jenn from Novak Consulting
 - Attended Clark Memorial Library anniversary celebration
- 10/20/18 – Attended Yavapai College 50th anniversary celebration
- 10/24/18 – Attended Proposition 445 Open House at Town Hall
- 10/31/18 – Attended Halloween festivities
- 11/01/18 – Attended NACOG Regional Council meeting in Flagstaff
- 11/02-04/18 – Attended Page/Lake Powell Balloon Regatta at invitation of Mayor Diak
- 11/12/18 – Met with Councilmember Regner
- 11/13/18 – Telephone call with Councilmember Regner

Councilmember Regner's Report –

- 10/10/18 – Attended TPAC meeting telephonically
- 10/11/18 – Attended Proposition 445 Open House at Spirit of Joy Lutheran Church
- 10/15/18 – Attended the Legislative District 6 Legislative Candidate forum
- 10/19/18 – Attended the APS Proposition 127 presentation
- 10/20/18 – Attended the Yavapai College 50th anniversary celebration
- 10/26/18 – Attended Clarkdale's first Movie in the Park
- 10/31/18 – Judged the Halloween costume contest
- 11/07/18 – Attended Clarkdale Historical Society's strategic planning
- 11/12/18 – Met with Vice Mayor Dehnert
- 11/13/18 – Telephone call with Vice Mayor Dehnert

Councilmember Buckley's Report –

- 11/06/18 – Attended Downtown Business Alliance meeting

Councilmember Hunseder's Report –

- 10/31/18 – Judged Halloween costume contest
- 11/02/18 – Attended Bodega Pierce Winery ribbon cutting
- 11/07/18 – Attended Clarkdale Historical Society strategic planning
- 11/09/18 – Attended Clarkdale's first Movie in the Park

Town Manager's Report –

Reminders:

- There are four Council meetings this month:
- Council already attended Strategic Planning all day November 8th
- 11/13/18 Tonight's Regular meeting
- 11/20/18 Special meeting to meet with Novak Consulting Group
- 11/27/18 Special Meeting at 3:00 p.m.

Upcoming events:

- 12/01/18 - Cottonwood Christmas Parade – Council members and significant others invited to ride on the historic parade truck along with representatives from the Verde Valley Fire District Board; meeting at 10 a.m. at the County Board of Supervisors parking lot on 6th Street; parade starts at 11 a.m.;
 - After Parade Santa will be coming to Clarkdale;
 - 3:00 p.m. Movie in the Clubhouse (Nightmare Before Christmas)
- 12/06 – 09/18 - Made in Clarkdale exhibit with gala on Friday night in auditorium
- 12/21/18 - Caroling in the Park at 6 p.m.

Organizational Reports – Reports regarding regional organizations.CAT – Cottonwood Area Transit (Councilmember Buckley)

- No report

VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- No report

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- 11/01/18 – Possible changes coming to the Community Development Block Grant methods of distribution. Discussion of changing to competitive applications based on need each year rather than rotating every 4 years. Richard asked NACOG staff to have someone from NACOG come down and explain this to our staff. Decision will be forthcoming.
- Area Agency on Aging received \$625,000 for funding of in-home services to elderly. They will be giving a presentation on dementia-friendly cities.
- Report on Arizona and malnutrition.

NAMWUA - Northern Arizona Municipal Water Users Association. (Councilmember Buckley)

- Maher attended – There was a presentation on the Big Chino Pumped Storage Project

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held October 9, 2018 and Special Meetings September 25, October 16, and October 23, 2018.
- B. Claims** - List of specific expenditures made by the Town during the previous month. October, 2018 check log and PPE dated September 29 and October 13, 2018.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.
Board of Adjustments Notice of Cancellation of meeting October 24, 2018
Design Review Board Notice of Cancellation of meeting October 3, 2018
Planning Commission minutes of the meeting held October 16, 2018
Parks and Recreation Commission minutes of the meeting held October 10, 2018
- D. Governor's Office of Highway Safety Pedestrian and Bicycle Safety Grant** - Acceptance of non-match, Governor's Office of Highway Safety federal grant totaling \$3,400 from October 1, 2018 to September 30, 2019.
- E. Governor's Office of Highway Safety STEP Enforcement Grant** - Acceptance of non-match, Governor's Office of Highway Safety federal grant totaling \$8,000 from 10/01/2018 to 09/30/2019.
- F. Governor's Office of Highway Safety DUI Impaired Driving Enforcement Grant** - Acceptance of non-match, Governor's Office of Highway Safety federal grant totaling \$6,000 from October 1, 2018 to September 30, 2019.

Action: Approve Consent Agenda items A – F as presented.

Motion: Vice Mayor Dehnert

Second: Councilmember Buckley

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye

Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NEW BUSINESS

OATH OF OFFICE - Administration of Oath of Office to Councilmembers-Elect Benjamin Kramer and Bill Regner.

The Primary Election was held August 28, 2018. According to state law as set forth in A.R.S. §9-821.05.01, a candidate is declared elected to office in the primary if that candidate has a majority of all votes cast. On September 11, 2018 Council adopted Resolution #1580, A Resolution of the Mayor and Common Council of the Town of Clarkdale, Yavapai County, Arizona, Declaring and Adopting the Results of the Primary Election Held on August 28, 2018.

In the 2018 primary election, 1743 votes were cast for the two 4-year councilmember terms in Clarkdale. Two candidates received the majority of votes:

William "Bill" Regner	530
Benjamin Kramer	510
Bob Ingulli	289
Eileen Sydow	403

(There were also 11 write in votes)

Therefore, Bill Regner and Benjamin Kramer were declared elected to office.

Town Manager Mabery noted that Councilmember-Elect Kramer submitted a letter stating he would be declining to take the Oath of Office tonight.

Councilmember Regner took the Oath of Office administered by Judge Lundy.

Action: Judge Lundy to Administer the Oath of Office. No Council action is required.

Councilmember Hunseder recused herself from the next two agenda items and subsequently took a seat in the audience.

DECLARATION OF VACANCY ON COUNCIL – Consideration of declaring a vacancy on the Town Council as a result of Council Member-Elect Benjamin Kramer's decision to decline to take the Oath of Office for the term of office to which he was duly elected during the August, 2018 Primary Election.

When an elected official declines to take the Oath of Office a vacant seat on the Council results. Once the Council makes a declaration on the record that there is a vacant seat and they may then move forward to fill that vacancy per A.R.S. §9-235.

Action: Officially declare a vacant seat on the Council.

Motion: Vice Mayor Dehnert

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Recused
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

VACANT COUNCIL MEMBER POSITION, WITH POSSIBLE APPOINTMENT

– Consideration of the process to be used for filling the vacant Council Member position, including possible action to appoint a duly qualified person to fill the vacant two-year term on the Clarkdale Town Council without further formal processes.

Council Member-Elect Benjamin Kramer declined to take the Oath of Office for the term which was to begin November 13, 2018. As a result, it is anticipated that the Clarkdale Town Council will declare a vacancy on the Town Council immediately following the agenda item where Council Member-Elect Kramer was scheduled to take the Oath of Office.

Mr. Kramer had previously resigned his term of office that that was to expire on November 13, 2018, and Council Member Hunseder was appointed to fill that vacant seat effective October 23, 2018. Under Clarkdale Town Code §2-1-1, Council Member Hunseder will continue to serve until a successor assumes the duties of the Council seat that Mr. Kramer has declined to fulfill.

The process that the Council uses for appointments to vacant seats is strictly a matter of Council preference. Neither the Clarkdale Town Code nor the State statutes outlines any particular process. Due to the timing of Mr. Kramer's resignation from his previous term, and given his prior notice that he would decline to take the Oath of Office for the term beginning November 13, 2018, the Town Council had advance notice that it would be in the unique position of having to legally make two appointments to the same seat on the Council in a very short window of time.

The Staff Report for the September 25, 2018 Council meeting, when the Council considered the first appointment, stated the following:

In accordance with our Town Attorney's legal advice and with §A.R.S. 9-235, the Town Council shall fill both vacant terms by appointment.

First, the Council would need to appoint someone to fill the remainder of Mr. Kramer's unexpired term (September 25, 2018 through November 13, 2018).

Second, the Council will need to make an additional appointment at the November 13, 2018 Regular Council meeting for the two-year term (from Nov. 2018 – Nov. 2020). The second two years of the term that begins November 13, 2018 shall be filled through an election process, where a 2-year Council term will be listed on the 2020 election ballot.

Should the Council desire a reference, a summary of the items that past Councils have used in developing a process for filling a vacant Council seat, along with a sample timeline, is attached as Exhibit A to this staff report.

Tonight's agenda item has been written to allow the Town Council to discuss and select the process that they would like to use in order to fill the vacant seat on the Council. In addition, the agenda item would also allow the Council to take action to appoint someone to the vacant seat without need of further formal processes.

Action: Council approve Debbie Hunseder as the appointed Councilmember on the Clarkdale Town Council to fill the vacancy.

Motion: Councilmember Regner

Second: Councilmember Buckley

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Recused
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

OATH OF OFFICE - Administration of Oath of Office to the newly appointed Council Member, if the Town Council chooses to appoint a new member under Agenda Item #7.

The previous agenda item provided Council with options for filling the vacant seat declared on the Council as a result of Ben Kramer's declining to take the Oath of Office for the Council seat to which he was elected.

This agenda item will proceed if the Council chooses to appoint a new member to the two-year term of office beginning November 13, 2018.

Debbie Hunseder took the Oath of Office administered by Judge Lundy and resumed her seat at the Council table.

Action: Judge Lundy to Administer the Oath of Office. No Council action is required.

APPOINTMENT OF VICE-MAYOR - Selection of a member of the Town Council to serve as the Vice-Mayor for a two-year term.

Pursuant to Section 2-2-2 of the Clarkdale Town Code, "At the first Regular Meeting after the general election, the Council shall designate one of its members as Vice Mayor, who shall serve at the pleasure of the Council. The Vice Mayor shall perform the duties of the Mayor during the Mayor's absence or disability".

Action: Appoint Richard Dehnert as Vice-Mayor for a two-year term.

Motion: Councilmember Hunseder

Second: Mayor Von Gausig

Discussion: Councilmember Regner made statements regarding this appointment but feels that this should be a rotated position.

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

YAVAPAI COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2018 PRESENTATION– A presentation regarding the Yavapai County Multi-Jurisdictional Hazard Mitigation Plan 2018.

Mitigation Plans form the foundation for a community's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction, and repeated damage. The planning process is as important as the plan itself as it creates a framework for risk-based decision making to reduce damages to lives, property, and the economy from future disasters.

The mitigation plans each jurisdiction completed in 2011 were required to be updated in 2016. Originally, the planning resulted in single plans per each participating (incorporated) jurisdiction. The updated Plan was done according to the multi-jurisdictional model, which resulted in one plan that includes the county and the participating incorporated jurisdictions within the county boundaries. Jurisdictions were required to be represented and participate throughout the update process, otherwise they were not included in the plan or eligible for hazard mitigation grant funds.

- ❖ **Public Involvement Strategy** minimum requirements were that the public must have an opportunity to comment on the plan at least once during development and once after the draft is completed prior to final adoption. Yavapai County submitted a public notice to a newspaper with a county-wide circulation.
- ❖ **Risk Assessment** determines “what” can occur, “when” (how often) it is likely to occur, and “how bad” the effects could be. The planning team reviewed the hazard lists and historic records and discussed which hazards could be eliminated and which should be evaluated further. The resulting list of hazards to be carried forward to profiling and a vulnerability analysis are:
 - Flooding
 - Earthquake
 - Severe Wind
 - Wildfire
 - Winter Storm
 - Landslide/mudslide

- ❖ Calculated Priority Risk Index (CPRI) shows the probability, magnitude/severity, warning time, and duration of the hazards.
- ❖ Vulnerability Analysis creates an Asset Inventory which defines critical facilities and infrastructure as those systems or assets within a community whose incapacity or destruction would have a debilitating impact on the defense or economic security of the community and significantly hinders a community's ability to recover following a disaster.
- ❖ Community Descriptions were reviewed and updated as appropriate and desired.
- ❖ Capability Assessment identifies legal and regulatory capabilities, administrative and technical resources, community fiscal capabilities, and summarizes past mitigation activities and projects.
- ❖ Plan Maintenance Documentation is a new aspect of the Mitigation Plan with FEMA requiring annual plan maintenance documentation.
- ❖ Public Involvement - Each jurisdiction was instructed to identify ways in which past public involvement opportunities were provided relative to the 2011 Plan cycle and to formulate a list of anticipated public involvement events or actions for the next 5 years.

The Yavapai County Office of Emergency Management was notified that the Federal Emergency Management Agency (FEMA) Region IX gave approval for the adoption process to begin for the Yavapai County Multi-Jurisdictional Mitigation Plan.

Due to the length of the Hazard Mitigation Plan (206 pages) a PDF file will be attached to the staff report on the website for viewing of the entire contents.

The Town of Clarkdale approved Resolution #1579 that adopted the Yavapai County Multi-jurisdictional Hazard Mitigation Plan 2018.

Administrative Services Director Kathy Bainbridge presented information on this agenda item to Council. Discussion and questions followed this presentation regarding ongoing updated assessments of Town-owned property and how vulnerabilities were assessed. Clarkdale has been lucky not to have many hazardous events.

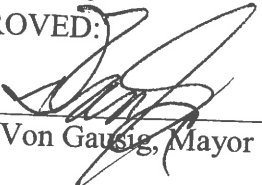
Bainbridge noted she would send Vice Mayor Dehnert a link to further trainings in emergency management that are available after he expressed interest.

Action: This is a presentation only.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.
None


ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting at 7:02 p.m.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:




Mary Ellen Dunn, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 13th day of November, 2018. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 12th day of December, 2018.

SEAL



Mary Ellen Dunn, Town Clerk